

McKin Site Summary

(Provided by the TAG Group)

I. Background of the McKin Superfund Site

From 1964 to 1977, the McKin Company operated a waste collection, transfer and disposal facility handling oily and chemical wastes in Gray, Maine. In 1973, local residents reported offensive odors in their water and discoloration of their laundry to local officials. Investigations of the Site showed that the Site soils and ground water were contaminated with unidentified chemical compounds. In 1977, some compounds were identified, including trichloroethylene (TCE) and 1,1,1-trichloroethane (TCA), which are commonly used industrial solvents. The town of Gray ordered the McKin Company to shut down operations and passed an emergency ordinance placing a moratorium on any new construction within two miles of the Site. In 1978, the Town of Gray installed a water line to provide East Gray residents surrounding the Site with clean drinking water.

In 1979 to 1980, Maine Department of Environmental Protection (ME DEP) removed chemical liquids, oil and waste stored in above-ground drums and tanks from the Site and installed ground water monitoring wells. In 1983, the U. S. Environmental Protection Agency (EPA) placed the site on the National Priorities List (NPL)) which made the site eligible for federal funding for hazardous waste cleanup pursuant to the federal Superfund program.

II. The Site Remedy Selection

In 1985, a consultant hired by ME DEP completed a study of the nature and extent of the contamination at the Site (known as a Remedial Investigation or RI) and an evaluation of potential remedies for the Site (known as a Feasibility Study or FS). In 1985, EPA issued a Record of Decision (ROD) which set forth a clean up plan for the McKin Site. The ROD called for cleanup of Site soils using on-site low temperature thermal aeration after the PRPs demonstrated that this remedy would be effective. The ROD also called for restoration of the ground water to specific standards using a Ground Water Extraction and Treatment System or GETS.

The GETS was designed to extract contaminated ground water through the use of pumping wells, to treat the extracted contaminated ground water to remove the contaminants, and to reinject the cleaned ground water into the ground. Based on prior site studies, EPA estimated in the ROD that it would take approximately five years for the GETS to meet the performance standards and clean the aquifer. However, the ROD called for an evaluation of the system, if after five years, the ground water performance standards set forth in the ROD had not been achieved.

III. The Potentially Responsible Parties, Settlements and Performance of the Remedy

Potentially Responsible Parties, or "PRPs," are defined by the Superfund statute as those parties who own or operate a Superfund site, who transport hazardous substances to a Superfund site, or who arrange for transportation of hazardous substances to a Superfund site (commonly referred to as "generators"). The government agencies identified over 300 PRPs from the disposal records kept by Richard Dingwell, owner of the McKin Company and owner and operator of the Site. The McKin PRP group is varied. It consists of large industrial businesses who sent relatively large amounts of waste to the Site, and small businesses, towns, school districts, hospitals, churches and government agencies, including the State of Maine, who sent smaller amounts of waste to the Site.

In 1988, EPA and ME DEP entered into a settlement by a court-approved Consent Decree with approximately 300 PRPs, including large industrial generators and several hundred smaller parties. Those parties with the smallest contributions of waste (6,000 gallons or less) were offered the option of settling their liability for the Site with a one-time cash payment to the McKin Trust Fund for the work at the Site. Approximately 180 small parties (Premium Settlers) took advantage of this settlement option. A group of approximately 120 PRPs, consisting of the larger industrial generators and the smaller parties who did not take the "cash out" option offered in 1988, agreed to fund and perform the work set out in the ROD. The settling PRPs paid EPA and ME DEP \$3 million for the agencies' past costs, including \$200,000 for the Town of Gray for costs associated with installation of the water water line.

IV. The Clean Up

In late 1985, a number of industrial companies who had sent waste to the McKin Site extended the fence and dug up and treated approximately 11,456 cubic yards of solvent and petroleum contaminated soil resulting from the McKin company operations. The cost of this action was \$6.5 million. In 1990, pursuant to the Consent Decree, the PRPs installed the GETS in the area west of Mayall Road to begin restoration of the contaminated aquifer. The start date for the GETS was April 15, 1991.

The GETS operated for four and one-half years. The GETS cost \$5.2 million to construct and to operate. During the operation of the GETS, the PRPs prepared modeling studies to evaluate whether the system should be expanded to the area east of Mayall Road. These modeling studies raised the question whether the GETS, owing to geologic and other constraints, could clean the ground water in either part of the aquifer to the standards set forth in the ROD in a reasonable time frame.

In 1995, EPA and ME DEP allowed the PRPs' request for a temporary shut down of the GETS which will provide additional information about whether the system was actually removing contaminants from the aquifer or whether the contaminant levels appeared to be dropping owing to the flushing of cleaned water through the aquifer. The Agencies also did not want the PRPs to be spending money on a system whose effectiveness was under study. The temporary shut down of the GETS began on October 13, 1995.

V. Evaluation of the Remedy and New Remedy Selection Process

Since October 1995, the PRPs have been working on a report which attempts to evaluate: 1) the technical practicability of restoring the aquifer at the McKin Site; 2) alternative engineering and 3) engineering controls to reduce the amount of contamination entering the Royal River from the ground water contamination plume originating at the McKin Site. In addition, the report attempts to evaluate the effectiveness of land use restrictions, state and local ordinances, securing additional future water supplies and other measures (known as institutional controls) to prevent the use of, and exposure to, contaminated ground water and river water as drinking water sources and, in the case of the Royal River, as a recreation area.

EPA and ME DEP will need to make two decisions regarding the ground water cleanup:

- Is it practicable to restore the ground water so that it meets the performance standards set forth in the ROD?
- If the ground water cannot be restored, what remedial alternative or combination of alternatives should be implemented to insure that human health and the environment are protected?

EPA and ME DEP are currently considering whether the report prepared by the PRPs can adequately serve as the basis for those decisions or, if not, what parts of the report can serve as a basis for those decisions and what additional information is needed.

Input from the public (i.e., municipal officials and residents of Gray, North Yarmouth and Yarmouth, area water districts, citizens of Maine, organizations like the Friends of the Royal River, and others) is vital to the decision making process for a solution to the Site.

EPA, ME DEP and the PRPs have initiated a convening process to determine the likelihood of success and design of a mediation process, whereby the public would be invited to review the technical information about the Site and participate in decisions about a future remedy for the Site. This convening process, which entails in-depth interviews with representatives of interested parties, is currently underway and is expected to be completed by mid-April 1997.